

# EPA REGION III

◇ Office of Public Affairs

◇ PM Headlines

**Monday, February 13, 2012**

**\*\*\* PM HOT LIST \*\*\***

## **Obama's EPA budget: 1.2% cut would reduce aid to states, but Chesapeake Bay would get more funds**

**WASHINGTON-POST** The Obama administration proposed trimming the Environmental Protection Agency's budget 1.2 percent Monday, cutting money to the states and for hazardous cleanup even as it boosted money to restore the Chesapeake Bay. The \$8.3 billion funding request represents a \$105 million cut below EPA's 2012 enacted level. In it, the White House slashed funding for the Superfund Remedial Program by \$33 million but pledged to provide the money "necessary for EPA to be prepared to respond to emergency releases of hazardous substances and circumstances that place the public at imminent risk of exposure and harm." The proposed budget would also cut \$50 million by eliminating what the administration describes as "outdated, underperforming, and overlapping programs within EPA."

## **Groups frustrated by stalled money for Bay cleanup**

**VIRGINIAN-PILOT** One of the top environmental priorities this year in the General Assembly - borrowing \$300 million to upgrade sewage plants to help clean up the Chesapeake Bay - seems to have hit a wall. In the Senate, lawmakers have easily passed the measure so far, even approving an extra \$78 million to fix leaky sewage systems in Richmond and Lynchburg that can pollute the James River - and ultimately the Bay - with raw wastes and bacteria. Then this week, a House committee voted to table until next year the same bill to sell bonds worth \$300 million to modernize some 85 sewage plants across Virginia, including five in Hampton Roads and several on the Eastern Shore and Tangier Island.

## **Obama seeks clean energy, pipeline funds in budget**

**REUTERS** (Reuters) - The White House proposed more funds for renewable energy and pipeline safety in the 2013 budget while renewing the call to end subsidies for the oil and gas sector. The budget proposes \$27.2 billion for the Department of Energy, a 3.2 percent increase of what Congress enacted last year, and includes \$2.3 billion for research and development for energy efficiency, advanced vehicles and biofuels.

## **Commissioners face decision on drilling fee**

**ASSOCIATED PRESS (Pa.)** (AP) HARRISBURG - County commissioners in southwestern Pennsylvania say they won't hesitate to vote to impose a fee on the state's booming natural gas industry, but at least one commissioner in northern Pennsylvania said Thursday that he doesn't like the idea. After Gov. Tom

Corbett signs a bill passed by state lawmakers this week, county commissioners or county council members in about 35 counties will have 60 days to decide whether to impose the 15-year impact fee on their local Marcellus Shale wells. Pennsylvania is the only major natural gas-producing state that does not tax the activity, but the fee - which critics say is really a tax by another name - could be used by local governments to help pay the cost to accommodate the industry and fix the damage it causes to communities, roads and the environment.

## **Lycoming County officials on board to assess fee here**

**WILLIAMSPORT SUN-GAZETTE** Lycoming County Commissioners Jeff. C. Wheeland, Tony Mussare and Ernie Larson on Friday said they are in favor of imposing an impact fee on Marcellus Shale gas wells operating in the county. "Yes, we will be voting in favor of that," Wheeland said. Mussare and Larson echoed Wheeland's remark. Legislation creating the fee was passed by the state lawmakers this week and is expected to be signed by Gov. Tom Corbett next week. Counties with Marcellus Shale gas wells must then adopt ordinances imposing the fee if they want to collect it. When the county ordinance will be adopted is not yet known, Wheeland said. "We have to wait for the governor to sign (the legislation), then we have 60 days to enact the ordinance," he said.

## **Natural gas drilling on horizon in Bucks County**

**PHILLYBURBS.COM** Gas drilling is coming to Bucks County. Turm Oil is seeking to open the county's first natural gas well in Nockamixon. The gas well would be located on the former Cabot chemical company property on Beaver Run Road, near Routes 611 and 412. Turm Oil, a Butler County-based oil and gas company, submitted a permit application to Pennsylvania's Department of Environmental Protection on Feb. 6 to drill a natural gas well on the property. In 2007, Michigan-based oil and gas company Arbor Resources first applied for a permit to drill on the Cabot site. It constructed a gas well pad on the property. But after years of litigation with the township, the company backed out of the fight. In 2010, it capped the well, withdrew its permit and sold its gas lease before drilling ever began. "They're looking to take over where Arbor left off, in my view, by drilling a new well," said DEP spokeswoman Lynda Rebarchak.

## **Fawn, Frazer poised for additional Marcellus gas drilling**

**PITTSBURGH TRIBUNE-REVIEW** With wells on the way and a pipeline coming, Fawn and Frazer are poised for more Marcellus shale well action. Range Resources recently drilled five wells in Frazer while a company "landman" has been approaching Fawn residents with proposed oil and natural gas leases. The two townships are attractive places to drill, according to Mike Mackin, a Canonsburg-based spokesman for drilling company Range Resources-Appalachia. "They are on the outskirts of Allegheny County and are accessible with setbacks away from inhabited structures," he said. "It's more of a rural area than other parts of the county, which are highly populated." And to move the gas to distribution lines, a Tulsa, Okla., company is working to secure rights of way in both townships for a "gathering pipeline" for Marcellus shale gas to go to an unspecified pipeline in Butler County..

## **Refinery system failure releases foul odor in Delaware City**

**WILMINGTON NEWS JOURNAL** (Sunday) Two major system failures at the Delaware City Refinery released odors and other pollutants across the area this morning, in an incident still under investigation. A Department of Natural Resources and Environmental Control notification said that flows of partly refined crude oil intermediates were disrupted to the plant's large continuous coking unit. A carbon monoxide boiler, used to control pollution from the coker and produce steam, also went offline. "Not quite sure what it is, but the smell this morning is overwhelming, the worst I've experienced in four years," said Justin Williams, a Delaware City resident and former employee of The News Journal. "It's like burnt matchstick, and has completely permeated the inside of our house, which is pretty rare."

## **Four North Penn schools receive Energy Star ratings**

**NORTH PENN LIFE** Four more North Penn schools have now reached Energy Star status: General Nash, Gwyn Nor and Hatfield elementary schools and North Penn High School. The program from the Department of Energy and the Environmental Protection Agency rates comparable buildings for their energy use. Schools are compared to other schools nationwide, said Thomas W. Schneider, manager of energy for the district. A rating of 75 percent or higher is required, he said. "It rates your energy efficiency," Schneider said. "Basically, it's a grade." The district takes part in the Green Schools Program, which has helped it find ways to conserve, he said. But finding energy savings in some of the older buildings is more difficult. The district has also saved electricity use by closing buildings during winter break. "Certainly, the warm temperatures this winter helped us," Schneider told the school board facilities committee. ... The district had also signed long-term contracts for electricity through the Montgomery County Intermediate Unit, locking in a lower rate, he said. The district has also benefited from a reduction in natural gas prices because of increased supply from the Marcellus Shale. "Natural gas costs on the open market have plummeted in the last few months to a 10-year low," Schneider said. "We don't know what is going to happen. Because of the Marcellus Shale [natural gas] out there, we have too much gas. Some large suppliers have shut their rigs to try and raise prices."

## **Nearly 30 sickened by carbon monoxide**

**READING EAGLE** Nearly 30 people were sickened Sunday when heaters malfunctioned, causing a city apartment building to fill with carbon monoxide, officials said. Firefighters evacuated the 2 1/2-story building at 118 Church St. after being called there for reports of gas fumes just after 3 p.m. They found high levels of carbon monoxide throughout the building. Readings in some areas were as high as 275 parts per million and 286 parts per million. A concentration of 100 parts per million is considered dangerous. "As soon as the companies hit the door, the portable meter they carry was alarming that there was CO (carbon monoxide)," said Tom Kemery, deputy Reading fire chief.

## **\*\*\* MORNING HOT LIST \*\*\***

## **EPA probing Washington County shale operations**

**PITTSBURGH POST GAZETTE** Federal agency looking for violations in air, water, soil. The U.S. Environmental Protection Agency is investigating whether specific Marcellus Shale drilling and compressor station operations in Washington County have caused environmental damage that violates federal regulations. The federal "multi-media" investigation of air, water and hazardous materials impacts, which the EPA has not previously acknowledged, began in late September when on-site testing was done and is the initial stage of a possible enforcement action or actions. "In Washington County, EPA has conducted inspections at active industrial operations including well pads and compressor stations," Terri White, an EPA spokeswoman at the agency's Philadelphia regional office, said in an email response to questions last week. "The EPA is assessing the findings of our air, water and hazardous waste investigations in Washington County," said Bonnie Smith, another EPA spokeswoman in Philadelphia, who noted that the agency will not disclose the names of the facility or facilities where testing has been done until the investigation is complete, and that's expected to take "several more months."

## **Regulating shale operations: Public Utility agency would get new role**

**PITTSBURGH POST GAZETTE** The Marcellus Shale legislation awaiting Gov. Tom Corbett's signature would introduce a quiet player into the divided, often loud, world of gas drilling: the Public Utility Commission, a relatively unknown state agency suddenly charged with determining which communities are illegally regulating gas extraction. The PUC last made headlines when the region's three utility providers filed lower monthly rates for winter, and it also makes decisions involving industries such as telecommunications and transportation. But the agency would also be asked to review the scores of local ordinances that allow municipalities to establish specific

setback rules or predrilling requirements. Under the legislation, the Public Utility Commission has the sector-shifting power to say which communities have overstepped in regulating where and how companies extract natural gas from the Marcellus Shale rock formation. Officials in Harrisburg say the change would simply add a new industry to the commission's adjudicative portfolio, but the anonymity that led to the choice of the PUC has some wondering what qualifications the state agency brings to the job.

## **Pennsylvania impact fee for gas drillers comes with a catch**

**PHILADELPHIA INQUIRER** When legislators agreed last week to charge impact fees for the natural gas industry, generating millions of dollars, the money came with a catch. The measure also imposed statewide zoning and land-use rules for pipelines and wells - summarily killing off dozens of local land-use ordinances in the process. Gov. Corbett had pushed hard for the measure, saying the industry needed standardized rules to flourish. The governor wrote a Jan. 31 letter to top legislators saying some communities had actually banned drilling, depriving citizens of "jobs, income and the enjoyment of their property rights." Corbett also noted that the states surrounding Pennsylvania already had taken steps to preempt local laws and centralize control of zoning rules for the natural gas industry.

## **Rural loophole curbing Pennsylvania pipeline inspections**

**PHILADELPHIA INQUIRER** Pennsylvania regulators are taking steps to begin safety checks of some natural gas pipelines in the Marcellus Shale regions - hiring inspectors and drafting new rules that will bring the state in line with the rest of the nation. But a dispute continues over whether the state oversight goes far enough. The new safety-inspection and construction regulations still will not apply in the most rural areas of shale country, the hotbed for new pipeline projects, with up to 25,000 miles being built or on the drawing boards. In Washington, U.S. officials are pushing to close that rural loophole, but the gas and pipeline industries are fighting hard to keep it in place, arguing that the hazards are remote and the cost would far outweigh any benefits.

## **Delaware among 11 states suing EPA over soot rules**

**ASSOCIATED PRESS** NEW YORK — New York, Delaware and nine other states have filed a lawsuit designed to force the U.S. Environmental Protection Agency to issue new regulations on soot pollution. New York Attorney General Eric Schneiderman says the lawsuit filed today in U.S. District Court in Manhattan comes after the federal agency failed to meet a statutory October deadline to revise soot standards. Soot is produced by diesel vehicles and power plants and has been linked to chronic respiratory disease, impaired lung function, heart disease and asthma.

## **Morgantown to Revote Tonight on EPA Resolution**

**WHEELING INTELLIGENCER** Morgantown City Council will convene for a special meeting Monday to reconsider a controversial resolution passed last week that supports the federal Environmental Protection Agency. Council members unanimously approved the resolution Feb. 7 after no discussion. It calls on EPA Administrator Lisa Jackson and President Barack Obama "to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million." The vote raised the ire of many residents. State officials routinely criticize Jackson for her stance on coal, and the EPA's use of the Clean Water Act during the permitting process for new mines. West Virginia has one of the highest disapproval rates of President Obama.

## **Obama administration slows environmental measures**

**WASHINGTON POST** After pushing through some of the most sweeping and contentious environmental measures in years, the Obama administration has slowed action on several policies as it calculates what it should undertake before the end of the term. Rules aimed at curbing emissions from cars and light trucks are on hold because the White House has yet to give the Office of Management and Budget the go-ahead to review them. And a

proposal to regulate soot, ready last fall, will not be issued before June. Several of the regulations hanging in the balance have broad support among not just environmentalists but key industries as well as hunters and anglers. But they could impose new costs on consumers and certain sectors of the economy, which has sparked opposition and complicated the administration's political calculus.

## **Obama Winning His War on Coal**

**WHEELING INTELLIGENCER** Time may already have run out for Americans to defeat President Barack Obama in his war against the coal industry. Many utility companies already have run up the white flag. Before millions of people even knew about the war on coal, decisions were made that will send their utility bills skyrocketing. Some of those choices are irreversible. A few weeks ago it was revealed at least 32 coal-fired power plants in 12 states, including West Virginia and Ohio, would be closed so utility companies could comply with the Obama administration's air pollution regulations. On the list was the Kammer Plant near Moundsville. Last week FirstEnergy announced it would close three West Virginia power plants later this year, along with six in Ohio, Pennsylvania and Maryland, for the same reason. Environmental Protection Agency officials are pressing utilities to replace 25 percent of their coal-fired generating capacity by 2014. That may not be possible, but it is an indication Obama's EPA is attempting to wreck the coal industry before anyone can stop it. A few days ago, American Electric Power President and Chief Executive Officer Nick Akins said complying with EPA mandates will drive power costs up by at least 10-25 percent. AEP serves 5.3 million customers in 11 states.

## **Md. Probes Cadmium Emissions At Ft. Detrick**

**ASSOCIATED PRESS (Md.)** FREDERICK, Md. (AP) — Maryland environmental officials are investigating following the discovery of elevated levels of cadmium from a municipal waste incinerator at Fort Detrick. The Frederick News-Post says a spokesman for the state Department of the Environment wouldn't discuss the specifics of the investigation, but that it involves possible violations of operations and procedures. The spokesman, Jay Apperson, called it an "active investigation."

## **Obama's budget will include \$31 million for Delaware Dredging**

**PHILADELPHIA INQUIRER** President Obama's new budget, to be submitted to Congress Monday, includes \$31 million for continued deepening of the Delaware River navigation channel, two members of Congress said Sunday night. Supporters say deepening the 102-mile channel by five feet will allow bigger ships - and greater commerce - between Philadelphia and Camden and the Atlantic Ocean. Pennsylvania Sen. Robert P. Casey and Rep. Robert A. Brady, both Democrats, said they had learned of the decision, which was to be made public Monday. Deepening the channel from 40 to 45 feet would put the Philadelphia port in line with other major East Coast ports. The Port of New York will be deepened to 50 feet.

## **SEN. TOOMEY CALLS ON EPA TO RECONSIDER LEBANON FINES**

**POLITICALNEWS.ME** WASHINGTON, D.C. - U.S. Senator Pat Toomey (R-Pa.) has asked the Environmental Protection Agency to reconsider levying \$21,600 in fines on the city of Lebanon. The EPA is fining Lebanon \$21,600 - reduced from \$177,500 - for a delay in complying with the Clean Water Act's stormwater management regulations. In a Feb. 8 letter to EPA Region 3 Administrator Shawn Garvin, Sen. Toomey said the EPA is "unnecessarily bearing down on a cash-strapped local government for failing to adequately comply with an unfunded mandate." "Due to the historic flooding in Lebanon this year that caused \$500,000 in damages, this fine will force the mayor to consider very unfortunate decisions: either forgoing replacement of an outdated police cruiser or laying off a police officer for 6 months," Sen. Toomey writes. The full text of the letter is below.

## **Pollution diet plan needs work**

**CARROLL COUNTY TIMES** As the state continues to finalize plans to comply with federal Environmental Protection Agency directives to limit pollution in the Chesapeake Bay, a coalition's ranking of Carroll's draft plan

for compliance as among the worst in the state should be a concern to residents and to our county board of commissioners. Each county in Maryland was required to submit a draft plan to the Maryland Department of the Environment as part of the statewide Phase II Watershed Implementation Plan which is required by the EPA. The state released its draft plan Jan. 26. It is now in a public comment period that runs until March 9. Counties have until July to improve or refine their plans. The Choose Clean Water Coalition, which includes more than 230 organizations from states within the Chesapeake watershed, reviewed the draft plans and placed each in one of four categories. The categories were "A Strong Start, Let's Put it to Work"; "A Good Start, Much Work Remains"; "A Plan is Emerging, Significant Work Ahead"; and "Much Work Ahead for Clean Local Waters." Carroll's plan was one of nine in the worst category, which the coalition defined as "skeletal and did not commit to clear implementation strategies."

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## PENNSYLVANIA

### ***PHILADELPHIA INQUIRER***

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**From Early Bird** Pennsylvania impact fee for gas drillers comes with a catch When legislators agreed last week to charge impact fees for the natural gas industry, generating millions of dollars, the money came with a catch. The measure also imposed statewide zoning and land-use rules for pipelines and wells - summarily killing off dozens of local land-use ordinances in the process. Gov. Corbett had pushed hard for the measure, saying the industry needed standardized rules to flourish. The governor wrote a Jan. 31 letter to top legislators saying some communities had actually banned drilling, depriving citizens of "jobs, income and the enjoyment of their property rights." Corbett also noted that the states surrounding Pennsylvania already had taken steps to preempt local laws and centralize control of zoning rules for the natural gas industry.

**From Early Bird** Rural loophole curbing Pennsylvania pipeline inspections Pennsylvania regulators are taking steps to begin safety checks of some natural gas pipelines in the Marcellus Shale regions - hiring inspectors and drafting new rules that will bring the state in line with the rest of the nation. But a dispute continues over whether the state oversight goes far enough. The new safety-inspection and construction regulations still will not apply in the most rural areas of shale country, the hotbed for new pipeline projects, with up to 25,000 miles being built or on the drawing boards. In Washington, U.S. officials are pushing to close that rural loophole, but the gas and pipeline industries are fighting hard to keep it in place, arguing that the hazards are remote and the cost would far outweigh any benefits

**From Early Bird** Terminology aside, Pa. natural-gas levy became inevitable  
HARRISBURG - You say "fee." I say "tax." But here in the Capitol, at least, it doesn't matter much anymore, since no one is calling this deal off. For the first time since politicians began seriously throwing around the idea in 2009, Pennsylvania will impose a levy on extraction of natural gas from the Marcellus Shale. Gov. Corbett is expected to

sign it into law this week. He is the same Corbett who ran in 2010 on a pledge to raise no taxes, and who bristled when anyone, Democrat or Republican, suggested he ease the state's budgetary woes by hitting the burgeoning natural gas industry with a tax. His ironclad stance is one big reason the bill that awaits his pen has the drillers paying a local-impact fee, not a tax.

**From Early Bird Commentary: Natural-gas fee may be too late**With natural-gas drilling booming in Pennsylvania's Marcellus Shale region, state lawmakers might seem to have chosen the perfect time to impose an impact fee on gas producers. The new fee has been projected to generate \$191 million in retroactive 2011 fees, \$220 million in 2012, and larger amounts over time. Unfortunately, though, the legislature may have procrastinated for too long. Natural-gas prices have plummeted from their lofty levels of a few years ago, squeezing industry profits and forcing producers to start scaling back their activity. As a result, the impact fees may generate less revenue than expected and induce some cash-strapped drillers to shift resources to other states. [Arthur Sterngold is an associate professor of business and the former director of the Institute for Management Studies at Lycoming College.]

**Assessing PGW's liquid natural gas future**The gritty Port Richmond waterfront - home to tank farms, wharves and many vacant lots - seems an unlikely location for one of city government's most valuable assets. But the Philadelphia Gas Works' Richmond processing plant, beside a sewage treatment plant and a strip club, is the crown jewel of the city-owned utility, whose future is the subject of a study to be released this week on the feasibility of selling PGW. The 40-year-old processing plant - itself an ugly duckling of concrete, gravel, and steel - produces liquefied natural gas (LNG), which is stored in two 120-foot-high white-domed tanks on Delaware Avenue. On the coldest winter days, when transcontinental pipelines cannot deliver enough natural gas to meet the city's needs, PGW draws upon the stored LNG fuel to keep its customers warm. The city owns the biggest LNG plant in the East.

### ***PITTSBURGH POST GAZETTE***

**From Early Bird EPA probing Washington County shale operations**

Federal agency looking for violations in air, water, soil. The U.S. Environmental Protection Agency is investigating whether specific Marcellus Shale drilling and compressor station operations in Washington County have caused environmental damage that violates federal regulations. The federal "multi-media" investigation of air, water and hazardous materials impacts, which the EPA has not previously acknowledged, began in late September when on-site testing was done and is the initial stage of a possible enforcement action or actions. "In Washington County, EPA has conducted inspections at active industrial operations including well pads and compressor stations," Terri White, an EPA spokeswoman at the agency's Philadelphia regional office, said in an email response to questions last week. "The EPA is assessing the findings of our air, water and hazardous waste investigations in Washington County," said Bonnie Smith, another EPA spokeswoman in Philadelphia, who noted that the agency will not disclose the names of the facility or facilities where testing has been done until the investigation is complete, and that's expected to take "several more months."

**From Early Bird Regulating shale operations: Public Utility agency would get new role**The Marcellus Shale legislation awaiting Gov. Tom Corbett's signature would introduce a quiet player into the divided, often loud, world of gas drilling: the Public Utility Commission, a relatively unknown state agency suddenly charged with determining which communities are illegally regulating gas extraction. The PUC last made headlines when the region's three utility providers filed lower monthly rates for winter, and it also makes decisions involving industries such as telecommunications and transportation. But the agency would also be asked to review the scores of local ordinances that allow municipalities to establish specific setback rules or predrilling requirements. Under the legislation, the Public Utility Commission has the sector-shifting power to say which communities have overstepped in regulating where and how companies extract natural gas from the Marcellus Shale rock formation. Officials in Harrisburg say the change would simply add a new industry to the commission's adjudicative portfolio, but the anonymity that led to the choice of the PUC has some wondering what qualifications the state

agency brings to the job.

**From Early Bird** Greene County man pleads guilty to illegally dumping liquid waste A Greene County man charged last year with illegally dumping millions of gallons of Marcellus Shale wastewater, sewer sludge and restaurant slop throughout southwestern Pennsylvania, has reached a plea agreement with the state attorney general's office. Robert Allan Shipman, 50, of New Freeport, pleaded guilty to 13 counts, including theft by deception, receiving stolen property, tampering with public records or information, unlawful conduct, pollution of waters, and criminal conspiracy. As part of his guilty plea, Mr. Shipman must pay a \$90,000 fine to the Pennsylvania Clean Water Fund and a \$10,000 fine to the Pennsylvania Fish and Boat Commission. He must also show proof that he and his wife, Carolyn Shipman, have divested themselves from Allan's Waste Water Service Inc. and Tri-County Waste Water Management Inc. ...The nine-page grand jury presentment recommended 98 criminal charges against Mr. Shipman and 77 counts against Allan's Waste Water Service. Among the charges in the presentment was that **Mr. Shipman's company emptied tanker trucks of drilling waste into a floor drain that led to Tom's Run, which empties into Dunkard Creek. The waterway was the site of a 2009 fish kill over a 30-mile stretch along the Pennsylvania-West Virginia border.** The attorney general's office said in March that investigators did not establish a cause-and-effect link between Mr. Shipman's discharges and the fish kill. But a spokesman for the office said Mr. Shipman played a role in compromising the quality of Dunkard Creek and other waterways in the area.

**From Early Bird** Marcellus Shale boom has pressed law firms to boost their staffs The same year Bill Caroselli finished law school, Bob Dylan first told the world that the times were a-changin'. A half-century later, the birth of the multibillion-dollar Marcellus Shale industry has transformed the region's legal landscape, pushing lawyers like Mr. Caroselli to practice oil and gas law after decades of specialization in other fields.

### **PITTSBURGH TRIBUNE-REVIEW**

**From Early Bird** Firefighters learn to deal with emergencies at gas drilling sites Firefighters need to have a plan of action before responding to emergencies at Marcellus shale drilling sites. Westmoreland County firefighters, as part of their battle plan, gathered at Hempfield No. 2 Volunteer Fire Department on Saturday to get tips from Mike Wolford, an incident management specialist for a regional office of Wild Well Control of Houston, Texas. They learned that the greatest dangers can come from "blowouts," an uncontrolled flow of natural gas erupting to the earth's surface that can spark fires that can burn for days, Wolford said. He cited national statistics that put the number of blowouts at two for every 1,000 gas wells drilled. The most likely emergencies include workers being crushed or suffering other injuries, Wolford said. Medical emergencies, such as heart attacks, are also a hazard at well sites. **Marcellus 'fee'? A tax, stupid** When is an "impact fee" not an impact fee and nothing more than another damnable growth-retarding, wealth-transference tax? When Pennsylvania bureaucrats get a hold of it and milk it like a Guernsey cow, that's when.

**From Early Bird** Fluoride program targets needy kids in Allegheny A fluoride program to fight tooth decay in needy preschoolers is now a regular part of the Allegheny County Health Department's dental program. The pilot project, completed last year with a \$62,000 grant from the Highmark Foundation, provided more than 1,000 preschool children in 38 Head Start sites with free protective fluoride varnish applications, department officials said. Reimbursements from medical assistance and other third-party insurance programs will make the program self-supporting, the department said. Plans call for providing the treatment to about 2,000 preschoolers twice a year throughout the 57 Head Start sites operated by the Allegheny Intermediate Unit and the Pittsburgh Public Schools. Applications of fluoride varnish are recommended every six months, but many needy youths rarely receive them, leading to tooth decay and other problems. An existing department program provides sealant to permanent molars for needy second- and sixth-graders.

**Fawn, Frazer poised for additional Marcellus gas drilling**

With wells on the way and a pipeline coming, Fawn and Frazer are poised for more Marcellus shale well



action. Range Resources recently drilled five wells in Frazer while a company "landman" has been approaching Fawn residents with proposed oil and natural gas leases. The two townships are attractive places to drill, according to Mike Mackin, a Canonsburg-based spokesman for drilling company Range Resources-Appalachia. "They are on the outskirts of Allegheny County and are accessible with setbacks away from inhabited structures," he said. "It's more of a rural area than other parts of the county, which are highly populated." And to move the gas to distribution lines, a Tulsa, Okla., company is working to secure rights of way in both townships for a "gathering pipeline" for Marcellus shale gas to go to an unspecified pipeline in Butler County.

Former fuel line tested for leaks ahead of tie-in to shale wells A former diesel and jet fuel transmission line that runs through Buffalo Township is being tested for leaks in preparation for tie-ins from Marcellus shale gas wells in the area. A spokeswoman for NiSource Gas Transmission & Storage confirmed workers have been in the area checking the line. NiSource owns Columbia Gas Transmission, which is parent company of Columbia Gas of Pa. The company is using high pressure nitrogen, an inert gas, to find the leaks and repair them. Buffalo Township Supervisor John Haven said leaks were found and repaired in two locations along Route 356, one near Freeport Transport Industries and another in the Buffalo Trails housing plan. The line is part of NiSource's Lancer Line, said company spokeswoman Shawn Trahan. This month, NiSource announced plans to invest \$145 million in 90 miles of pipeline in Western Pennsylvania that would support increased natural gas production from shale.

## ***SCRANTON TIMES***

From Early Bird NEPA counties to raise millions or nothing under gas impact fee

From Early Bird Impact fee bill addresses housing needs

From Early Bird DEP halts Carrizo fracking at Susquehanna County site after gas well failure

## ***HARRISBURG PATRIOT-NEWS***

From Early Bird Hershey plants achieve zero-waste status

Three manufacturing plants operated by The Hershey Co. have achieved "zero-waste-to-landfill" status. Two of the facilities are in the township while the third is in Hazleton. Zero waste to landfill means that routine manufacturing waste has been eliminated from landfill disposal. The West Hershey plant became a zero-waste facility in October. In addition, the \$225 million expansion of the West Hershey facility is a zero-waste construction project and the new addition will be zero-waste upon completion this year. In 2010, the Reese's plant also achieved zero-waste status.

From Early Bird Grover Norquist's no-tax pledge can't give *Marcellus* Shale drill fee the ax  
Pennsylvania will shortly have an impact fee for *Marcellus* Shale. Grover Norquist called it a tax, but Pennsylvania Republicans passed it anyway. Gov. Tom Corbett, who signed Norquist's pledge, plans to sign the *Marcellus* bill, too, according to his spokesmen. Political reality trumps ideology.

## ***PITTSBURGH BUSINESS TIMES***

From Early Bird Fewer wells likely to be drilled in *Marcellus* in '12

The Associated Press (via the Wall Street Journal) weighs in on how the fall in natural gas prices is going to affect southwestern Pennsylvania and the *Marcellus* Shale. The bottom line, as we've been reporting here at the Business Times as well: There's going to be a major impact. We're already seeing it with planned cuts in the amount of wells in the *Marcellus* Shale: CONSOL Energy Corp. (NYSE: CNX) announced in late January that it would cut its capital budget and the number of wells. Chesapeake Energy (NYSE: CHK) is also pulling back in 2012. Drilling companies are moving toward drilling more in the liquids-rich part of the *Marcellus* Shale play and also in the Utica Shale, and less so in the dry-gas portion of central and eastern Pennsylvania. What will that mean for the industry?

## **STANDARD SPEAKER**

**From Early Bird** DEP involved in Fairview runoff dispute A Fairview Township resident who appeared before supervisors several times over recent months about water runoff problems said Monday that the state Department of Environmental Protection has gotten involved. Attilio Panzitta, 20 Woodcrest Drive, began complaining to township officials last summer that his property was sustaining water damage since the basement of a home at 16 Woodcrest was backfilled. DEP determined the backfill material was coal, used in violation of coal refuse disposal, according to documentation provided by Panzitta.

### **From Early Bird** DEP head: Pa. making right call on gas drilling

ORWIGSBURG - State Sen. David Argall, R-29, and the Schuylkill County Chamber of Commerce co-hosted a lunch meeting Thursday with state Department of Environmental Protection Secretary Michael Krancer. The controversial subject of Marcellus Shale drilling was the topic of discussion as Krancer answered questions from chamber members concerning the bill passed Wednesday by the House of Representatives that established a county-option drilling impact fee and the state review of local drilling ordinances. "At the end of the day, my job is to make good choices - which I think we are - to obtain this resource and use it in a safe and effective manner," Krancer said during the meeting at Madeline's restaurant. Gov. Tom Corbett is expected to sign the bill, which was approved by a vote of 101-90 in the House. The Senate approved the same bill Tuesday.

**From Early Bird** Lab sees potential in shale boom A local lab can do the environmental testing required for the extraction of natural gas from the Marcellus Shale formation. Michael Krancer, secretary of the state Department of Environmental Protection, toured Hawk Mountain Labs in West Hazleton on Thursday. "The role of testing is really critical in environmental protection and environmental science," Krancer said. "They do a lot of important environmental testing here. Hawk Mountain is a very well-known resource in Pennsylvania. Most of the world knows about Hawk Mountain. I wanted to see it first hand."

**From Early Bird** Lawmakers' differ on *Marcellus* Shale legislation The newly enacted Marcellus Shale legislation should help Pennsylvania in numerous ways, state Rep. Mike Tobash said Friday at the Northeast Pennsylvania Manufacturers and Employers Association Legislative Roundtable at the Pottsville Club. "We got it done. We are moving the ball forward," Tobash, R-125, said of the bill approved Tuesday by the state Senate and Wednesday by the state House of Representatives. However, state Rep. Neal P. Goodman, D-123, opposed the bill, and he told about 35 business leaders at the breakfast meeting that the legislation will hurt Pennsylvania more than it will help it.

## **ASSOCIATED PRESS (Pa.)**

**From Early Bird** EPA examining gas drilling in southwestern Pa. PITTSBURGH — Federal environmental investigators examining the impact of natural gas drilling in the Marcellus Shale are focusing on southwestern Pennsylvania's Washington County. The U.S. Environmental Protection Agency began air, water and hazardous waste investigations in Washington County in late September. EPA spokeswoman Bonnie Smith tells the Pittsburgh Post-Gazette the county was chosen because of the significant amount of drilling operations being developed there. State reports show nearly 700 wells drilled in Washington County, with 278 in production by the middle of last year. Smith says concerns over the potential environmental impact of drilling are behind the probe. The hydraulic fracturing drilling technique involves the high-pressure injection of mixture of water, sand and chemicals deep underground to free the trapped gas. Smith says the investigation will take several more months.

**Commissioners face decision on drilling fee** HARRISBURG - County commissioners in southwestern Pennsylvania say they won't hesitate to vote to impose a fee on the state's booming natural gas industry, but at least one commissioner in northern Pennsylvania said Thursday that he doesn't like the idea. After Gov. Tom Corbett signs a bill passed by state lawmakers this week, county commissioners or county council members in about 35 counties will have 60 days to decide whether to impose the 15-year impact fee on their local Marcellus Shale

wells. Pennsylvania is the only major natural gas-producing state that does not tax the activity, but the fee - which critics say is really a tax by another name - could be used by local governments to help pay the cost to accommodate the industry and fix the damage it causes to communities, roads and the environment.

### ***CITIZENS' VOICE***

**From Early Bird** NEPA counties to raise millions or nothing under gas impact fee Northeastern Pennsylvania's Marcellus Shale boom counties stand to raise millions of dollars this year through an impact fee on the deep gas wells. Other regional counties with a handful of wells may get little or nothing. Once Gov. Tom Corbett signs natural gas legislation that passed the House and Senate last week, counties will have 60 days to adopt an ordinance to levy the optional fee. Counties with active drilling that pass the ordinance will share with the state and their municipalities an estimated \$180.5 million this year on the 3,850 vertical and horizontal shale wells that were drilled through 2011, according to state estimates. But only horizontal or producing vertical gas wells can be levied the fee.

### ***POLITICALNEWS.ME***

**From Early Bird** SEN. TOOMEY CALLS ON EPA TO RECONSIDER LEBANON FINES

WASHINGTON, D.C. - U.S. Senator Pat Toomey (R-Pa.) has asked the Environmental Protection Agency to reconsider levying \$21,600 in fines on the city of Lebanon. The EPA is fining Lebanon \$21,600 - reduced from \$177,500 - for a delay in complying with the Clean Water Act's stormwater management regulations. In a Feb. 8 letter to EPA Region 3 Administrator Shawn Garvin, Sen. Toomey said the EPA is "unnecessarily bearing down on a cash-strapped local government for failing to adequately comply with an unfunded mandate." "Due to the historic flooding in Lebanon this year that caused \$500,000 in damages, this fine will force the mayor to consider very unfortunate decisions: either forgoing replacement of an outdated police cruiser or laying off a police officer for 6 months," Sen. Toomey writes. The full text of the letter is below.

### ***NORTH PENN LIFE***

**Four North Penn schools receive Energy Star ratings** Four more North Penn schools have now reached Energy Star status: General Nash, Gwyn Nor and Hatfield elementary schools and North Penn High School. The program from the Department of Energy and the Environmental Protection Agency rates comparable buildings for their energy use. Schools are compared to other schools nationwide, said Thomas W. Schneider, manager of energy for the district. A rating of 75 percent or higher is required, he said. "It rates your energy efficiency," Schneider said. "Basically, it's a grade." The district takes part in the Green Schools Program, which has helped it find ways to conserve, he said. But finding energy savings in some of the older buildings is more difficult. The district has also saved electricity use by closing buildings during winter break. "Certainly, the warm temperatures this winter helped us," Schneider told the school board facilities committee. ... The district had also signed long-term contracts for electricity through the Montgomery County Intermediate Unit, locking in a lower rate, he said. The district has also benefited from a reduction in natural gas prices because of increased supply from the Marcellus Shale. "Natural gas costs on the open market have plummeted in the last few months to a 10-year low," Schneider said. "We don't know what is going to happen. Because of the Marcellus Shale [natural gas] out there, we have too much gas. Some large suppliers have shut their rigs to try and raise prices."

### ***READING EAGLE***

**Nearly 30 sickened by carbon monoxide** Nearly 30 people were sickened Sunday when heaters malfunctioned, causing a city apartment building to fill with carbon monoxide, officials said. Firefighters evacuated the 2 1/2-story building at 118 Church St. after being called there for reports of gas fumes just after 3 p.m. They found high levels of carbon monoxide throughout the building. Readings in some areas were as high as 275 parts per million and 286 parts per million. A concentration of 100 parts per million is considered dangerous. "As soon as the companies hit the door, the portable meter they carry was alarming that there was CO (carbon monoxide)," said Tom Kemery, deputy Reading fire chief.

## **WILLIAMSPORT SUN-GAZETTE**

Lycoming County officials on board to assess fee here Lycoming County Commissioners Jeff. C. Wheeland, Tony Mussare and Ernie Larson on Friday said they are in favor of imposing an impact fee on Marcellus Shale gas wells operating in the county. "Yes, we will be voting in favor of that," Wheeland said. Mussare and Larson echoed Wheeland's remark. Legislation creating the fee was passed by the state lawmakers this week and is expected to be signed by Gov. Tom Corbett next week. Counties with Marcellus Shale gas wells must then adopt ordinances imposing the fee if they want to collect it. When the county ordinance will be adopted is not yet known, Wheeland said. "We have to wait for the governor to sign (the legislation), then we have 60 days to enact the ordinance," he said.

## **SCRANTON TIMES-TRIBUNE**

Corbett raiding special funds HARRISBURG - Gov. Tom Corbett is proposing a delicate balancing act with the state budget by buttressing it with money taken from a half-dozen special funds created through the decades. The practice, known as "fund-raiding," has been done by previous governors facing state tax revenue shortfalls and under legal mandates to balance the taxpayer-supported General Fund. But Mr. Corbett is turning to this strategy even more as Pennsylvania struggles with tight finances for a fourth year in a row.

Recycling has benefits even beyond landfill

## **PHILLYBURBS.COM**

Natural gas drilling on horizon in Bucks County

Gas drilling is coming to Bucks County. Turm Oil is seeking to open the county's first natural gas well in Nockamixon. The gas well would be located on the former Cabot chemical company property on Beaver Run Road, near Routes 611 and 412. Turm Oil, a Butler County-based oil and gas company, submitted a permit application to Pennsylvania's Department of Environmental Protection on Feb. 6 to drill a natural gas well on the property. In 2007, Michigan-based oil and gas company Arbor Resources first applied for a permit to drill on the Cabot site. It constructed a gas well pad on the property. But after years of litigation with the township, the company backed out of the fight. In 2010, it capped the well, withdrew its permit and sold its gas lease before drilling ever began. "They're looking to take over where Arbor left off, in my view, by drilling a new well," said DEP spokeswoman Lynda Rebarchak.

## **ERIE TIMES-NEWS**

Erie County projects earn Growing Greener grants

Four Erie County water improvement projects will share more than \$350,000 in state environmental grants. Growing Greener grants awarded Feb. 3 by the Pennsylvania Department of Environmental Protection include \$195,840 for stormwater improvements in Girard Township, \$120,750 for Walnut Creek improvements, and \$36,495 for natural stormwater control at Penn State Behrend. The projects are among 57 statewide awarded \$9.7 million in Growing Greener funds.

GE Transportation invests in cleaner Evolution locomotive

This building isn't on the tour. There are no shiny locomotives to see, no catwalks from which to observe the manufacturing process. But here in this garage-sized space, crowded with a network of pipes and one 22-ton, 12-cylinder diesel engine, GE Transportation in Lawrence Park Township is spending millions of dollars to reach one important goal. The Evolution series locomotive, touted as the most environmentally friendly locomotive ever built, has to get even cleaner. New Tier 3 Environmental Protection standards, which take effect in 2013, require a 50 percent reduction in particulate emissions. That timeline has made this revamped engine testing cell a top priority and the recipient of millions of dollars of upgrades, part of \$136 million in improvements to the company's Lawrence Park plant. "It's a must," Stephan Koller, a spokesman for GE Transportation, said of meeting government emissions standards. "In order to be compliant with emissions regulations set forth by the Environmental Protection Agency and in order to operate as a locomotive builder, we must meet these standards,"

he said.

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## DELAWARE

### **WILMINGTON NEWS JOURNAL**

**From Early Bird** State has much at stake in NJ nuclear safety plan 70% in evacuation zone live in Del. New Jersey regulators are pressing for expanded spent-fuel safety measures at state nuclear plants, including the three Salem/Hope Creek reactors along the Delaware River, based on a review of lessons learned from Japan's Fukushima reactor crisis. Gov. Chris Christie's Nuclear Review Task force, in a newly released report, also said that New Jersey would work closely with its neighbors on recent changes to federal radiation emergency programs, possibly forming a regional emergency group. Some of the recommendations affect Delaware, including those related to a pending requirement to recalculate evacuation time estimates based on traffic congestion caused by voluntary "shadow" evacuations outside the traditional 10-mile planning zones around reactors.

**From Early Bird** Coalition develops ecological agenda A coalition of environmentalists met in Dover on Saturday to come up with short and long term priorities. At the top of their list: working together to deflect what they describe as a "small-but-vocal group" that wants to turn back environmental advances and spread misinformation on critical topics like sustainable energy, sea level rise and climate change. Participants at the summit weren't specific, nor did they name names, but one of their first efforts will likely be to show up in force at the state Department of Natural Resources and Environmental Control's budget hearing on Wednesday.

**From Early Bird** Southern's nuke plant permit avoids tsunami lessons The chief regulator's dissent in a vote that approved the first U.S. permit in 34 years to build a nuclear reactor is fueling a debate over safety as the first anniversary of Japan's nuclear disaster nears. The U.S. Nuclear Regulatory Commission voted 4-1 yesterday to approve the plan of Southern Co. of Atlanta to build and operate two reactors at its Vogtle plant near Augusta, Georgia. The agency issued a permit today, NRC spokesman Scott Burnell said in an e-mail.

**From Early Bird** Fisker slows work at former GM site, lays off 26 A cash crunch has forced Fisker Automotive to lay off 26 of about 100 workers refurbishing the former General Motors plant near Newport as a U.S. manufacturing base for the startup company. The layoffs, which affected both regular employees and subcontractors, come as Fisker trims expenses while it waits to qualify to draw down more cash from the Department of Energy, which conditionally promised to lend the automaker \$529 million to help build its first two models and get its Delaware operations running.

**Refinery system failure releases foul odor in Delaware City (Sunday)** Two major system failures at the Delaware City Refinery released odors and other pollutants across the area this morning, in an incident still under investigation. A Department of Natural Resources and Environmental Control notification said that flows of partly refined crude oil intermediates were disrupted to the plant's large continuous coking unit. A carbon monoxide boiler, used to control pollution from the coker and produce steam, also went offline. "Not quite sure what it is, but the smell this morning is overwhelming, the worst I've experienced in four years," said Justin Williams, a Delaware City resident and former employee of The News Journal. "It's like burnt matchstick, and has completely permeated the inside of our house, which is pretty rare."

### **DELMARVANOW.COM**

**DELAWARE: Frog project puts out call for volunteers** DOVER -- The Delaware Amphibian Monitoring Project is seeking volunteers to conduct surveys of calling frogs around the state. According to the Delaware Department of

Natural Resources and Environmental Control, frog calls can be an important way to determine where different species live and how populations are doing over time. Concern over declines in amphibian populations has prompted the initiation of amphibian monitoring programs in North America and around the world, said Holly Niederriter, a wildlife biologist with the Delaware Natural Heritage and Endangered Species Program.

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## WASHINGTON, D.C.

### **WASHINGTON POST**

#### **From Early Bird** Obama administration slows environmental measures

After pushing through some of the most sweeping and contentious environmental measures in years, the Obama administration has slowed action on several policies as it calculates what it should undertake before the end of the term. Rules aimed at curbing emissions from cars and light trucks are on hold because the White House has yet to give the Office of Management and Budget the go-ahead to review them. And a proposal to regulate soot, ready last fall, will not be issued before June. Several of the regulations hanging in the balance have broad support among not just environmentalists but key industries as well as hunters and anglers. But they could impose new costs on consumers and certain sectors of the economy, which has sparked opposition and complicated the administration's political calculus.

#### **From Early Bird** Deadly virus plagues Md. turtles

Maryland biologists studying box turtles rescued from the bulldozers on the Intercounty Connector construction site have made a grisly find: An alarming number of the tiny turtles later died, and biologists say their demise appears to be unrelated to the highway. Worse yet, the cause of their death — an animal disease called ranavirus taking root across the United States — also is believed to have killed nearly every tadpole and young salamander in the study area in Montgomery County's North Branch Stream Valley Park since spring 2010.

**From Early Bird** Dr. Gridlock : Ideas sought in redoing area around Anacostia Metro The District is seeking ideas for redoing the area around the Anacostia Metro station. The city will hold a design charrette on Feb. 13 from 6:30 p.m. to 8 p.m. and on Feb. 15 from 12:30 to 2 p.m. at Matthews Memorial Baptist Church. The charrette, according to a news release, is aimed at “designing a public space that connects the Metro station to neighborhood assets, makes the area safer for pedestrians and bicyclists, better manages local stormwater and complements upcoming economic development projects in the community.”

Obama's EPA budget: 1.2% cut would reduce aid to states, but Chesapeake Bay would get more funds The Obama administration proposed trimming the Environmental Protection Agency's budget 1.2 percent Monday, cutting money to the states and for hazardous cleanup even as it boosted money to restore the Chesapeake Bay. The \$8.3 billion funding request represents a \$105 million cut below EPA's 2012 enacted level. In it, the White House slashed funding for the Superfund Remedial Program by \$33 million but pledged to provide the money “necessary for EPA to be prepared to respond to emergency releases of hazardous substances and circumstances that place the public at imminent risk of exposure and harm.” The proposed budget would also cut \$50 million by eliminating what the administration describes as “outdated, underperforming, and overlapping programs within EPA.”

Boosted by regulations, a small business opens its own lobby shop Many small companies bemoan government regulations, but Electronic Recyclers International celebrates them — or at least one in particular. ERI recycles e-waste, and in the company's six-year history, the number of states with e-waste recycling laws has gone from three to 25. Most of these state-based laws mandate that companies like HP and Dell contract with e-waste recyclers to collect and recycle used electronics, including cell phones, computers and other gear. Consequently, the California-based ERI's revenue has more than tripled in the past six years, and it has grown from 73 to 420 employees. “E-

waste is one of the fastest-growing solid waste streams in the world, and e-waste recycling is the fastest growing recycling opportunity in the world.

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## WEST VIRGINIA

### **CHARLESTON GAZETTE**

**From Early Bird** Dominion Resources playing 'responsible' role in Marcellus drilling, company says  
CHARLESTON, W.Va. -- Dominion Resources Services, a company that has operated in West Virginia for more than a century, is facing criticism that they are not playing a responsible role in the development of Marcellus Shale natural gas wells in the Northern Panhandle. The Affiliated Construction Trades Foundation, a coalition of labor unions, has criticized Dominion for failing to hire enough local and union workers. Some local residents and environmental groups argue the negative impacts of deep drilling for Marcellus Shale reserves will devastate and pollute groundwater, streams and rivers.

### **From Early Bird** George Hohmann: Fossil fuels' future

CHARLESTON, W.Va. -- Fossil fuels are the lowest-cost way to generate the electricity needed to meet demand, and if the price of natural gas remains low, it "will be the fuel of choice," said Nick Akins, American Electric Power's president and chief executive officer. "Natural gas is clearly going to be part of the picture, probably at least for the next decade," Akins said Tuesday during a speech at the University of Charleston.

Blog: Hoppy Kercheval continues pro-coal 'puffery' It's really no wonder that so many West Virginia political leaders won't confront the coming crisis in our state's coalfields. That's especially so if you just look at the media coverage these issues generally get from most of the state's newspapers, television stations and radio outlets. There have been some noticeable improvements of late, but my buddy Hoppy Kercheval's latest West Virginia MetroNews commentary shows how far our media have to go in doing their job of forcing powerful interests to confront what is — and perhaps isn't — in the public interest. Hoppy's headline is "Environmental puffery," and it focuses on the Sierra Club reaction to last week's announcement of power plant closings by FirstEnergy. Hoppy writes:

### **WHEELING INTELLIGENCER**

#### **From Early Bird** Obama Winning His War on Coal

Time may already have run out for Americans to defeat President Barack Obama in his war against the coal industry. Many utility companies already have run up the white flag. Before millions of people even knew about the war on coal, decisions were made that will send their utility bills skyrocketing. Some of those choices are irreversible. A few weeks ago it was revealed at least 32 coal-fired power plants in 12 states, including West Virginia and Ohio, would be closed so utility companies could comply with the Obama administration's air pollution regulations. On the list was the Kammer Plant near Moundsville. Last week FirstEnergy announced it would close three West Virginia power plants later this year, along with six in Ohio, Pennsylvania and Maryland, for the same reason. Environmental Protection Agency officials are pressing utilities to replace 25 percent of their coal-fired generating capacity by 2014. That may not be possible, but it is an indication Obama's EPA is attempting to wreck the coal industry before anyone can stop it. A few days ago, American Electric Power President and Chief Executive Officer Nick Akins said complying with EPA mandates will drive power costs up by at least 10-25 percent. AEP serves 5.3 million customers in 11 states.

### **From Early Bird** Morgantown to Revote Tonight on EPA Resolution

Morgantown City Council will convene for a special meeting Monday to reconsider a controversial resolution passed last

week that supports the federal Environmental Protection Agency. Council members unanimously approved the resolution Feb. 7 after no discussion. It calls on EPA Administrator Lisa Jackson and President Barack Obama "to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million." The vote raised the ire of many residents. State officials routinely criticize Jackson for her stance on coal, and the EPA's use of the Clean Water Act during the permitting process for new mines. West Virginia has one of the highest disapproval rates of President Obama.

### **BECKLEY REGISTER-HERALD**

**From Early Bird** Accused tree sitter pleads no contest A participant in last year's tree sit at a Raleigh County surface mine was sentenced Thursday to seven days in jail, according to a spokesperson at Raleigh County Magistrate Judge Richard D. Jones's office. Catherine-Ann MacDougal pleaded no contest to the charge of trespassing, which stems from 30 days she spent living in a tree on Marfork Coal Co.'s Bee Tree Surface Mine in August 2011 to protest the practice of mountaintop removal coal mining. Marfork Coal is a subsidiary of Alpha Natural Resources. ... "What is happening today is not a loss for the movement," she continued. "I will be out of jail in seven days, and this experience has only strengthened my conviction to work to stop mountaintop removal."

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## **MARYLAND**

### **BALTIMORE SUN**

**From Early Bird** Maryland sturgeon restoration effort in limbo

One thing that should help with that recovery, Secor noted, would be continued cleanup of the nutrient **pollution** that turns vast areas of the bay into an oxygen-starved "dead zone" every summer. Secor said

**From Early Bird** Sound the retreat, coastal dwellers

Sea level around the Chesapeake Bay is rising. Larger-than-ever storm surges are a certainty. Land is sinking further. The time has come to plan an orderly human retreat from more development along the watershed's low-lying edges. The science that backs this advice gets drowned out when developers wave big money at county officials craving revenue. A classic "lose-lose" — for the environment and for taxpayers — results. The most recent example comes from Virginia's Northumberland County Board of Supervisors. They have tentatively approved a massive home/resort/marina complex on Bluff Point, a marshy, wooded peninsula jutting into the Chesapeake from Virginia's lovely Northern Neck.

**From Early Bird** Natural gas exports eyed through Calvert County

Environmentalists question Maryland role enabling 'fracking'

COVE POINT—— It's quiet these days at Dominion's liquefied natural gas terminal in the Chesapeake Bay. Only five tankers docked last year at the pier a mile off the Calvert County shoreline, and not much traffic is expected this year, either. But thanks in large part to booming production of natural gas from shale deposits in neighboring states, the East Coast's largest LNG terminal could be bustling again in several years — exporting the heating and industrial fuel to other countries, instead of importing it. Dominion, based in Richmond, Va., has won approval from the Department of Energy to use Cove Point for exporting liquefied natural gas to about 20 nations with which the United States has free-trade agreements. The company is now seeking federal permission to allow shipments to virtually any foreign country, except those barred because of trade embargoes.

### **ASSOCIATED PRESS**

**From Early Bird** Maryland among 11 states suing EPA over soot rules NEW YORK — New York, Maryland and nine other states filed a lawsuit Friday designed to force the U.S. Environmental Protection Agency to issue new regulations on soot pollution. New York Attorney General Eric Schneiderman said the lawsuit filed in U.S.



District Court in Manhattan comes after the federal agency failed to meet a statutory October deadline to revise soot standards. Soot is produced by diesel vehicles and power plants and has been linked to chronic respiratory disease, impaired lung function, heart disease and asthma.

**From Early Bird** Md. Probes Cadmium Emissions At Ft. Detrick FREDERICK, Md. (AP) — Maryland environmental officials are investigating following the discovery of elevated levels of cadmium from a municipal waste incinerator at Fort Detrick. The Frederick News-Post says a spokesman for the state Department of the Environment wouldn't discuss the specifics of the investigation, but that it involves possible violations of operations and procedures. The spokesman, Jay Apperson, called it an "active investigation."

### **CARROLL COUNTY TIMES**

**From Early Bird** Pollution diet plan needs work As the state continues to finalize plans to comply with federal Environmental Protection Agency directives to limit pollution in the Chesapeake Bay, a coalition's ranking of Carroll's draft plan for compliance as among the worst in the state should be a concern to residents and to our county board of commissioners. Each county in Maryland was required to submit a draft plan to the Maryland Department of the Environment as part of the statewide Phase II Watershed Implementation Plan which is required by the EPA. The state released its draft plan Jan. 26. It is now in a public comment period that runs until March 9. Counties have until July to improve or refine their plans. The Choose Clean Water Coalition, which includes more than 230 organizations from states within the Chesapeake watershed, reviewed the draft plans and placed each in one of four categories. The categories were "A Strong Start, Let's Put it to Work"; "A Good Start, Much Work Remains"; "A Plan is Emerging, Significant Work Ahead"; and "Much Work Ahead for Clean Local Waters." Carroll's plan was one of nine in the worst category, which the coalition defined as "skeletal and did not commit to clear implementation strategies."

### **SOUTHERN MARYLAND ONLINE**

**Can a Gas Tax Make a Healthier Bay?** Has Gov. Martin O'Malley's broad array of tax increase proposals got you bummed out? Cheer up, there's a bright spot. If O'Malley succeeds in his plan to impose Maryland's 6 percent sales tax on the purchase of gasoline, he will not only boost revenues for long overdue highway, bridge and mass transit projects, but possibly help clean the Chesapeake Bay at the same time, a formula that could work not just in Maryland, but in all of the Bay states. Here's how it works: Up to one-third of the nitrogen that pollutes the bay and its rivers comes from the air, and much of that comes from motor vehicle emissions. Thus, to the extent that Marylanders find the higher gas tax so burdensome that they drive less or trade up to more fuel-efficient vehicles, the bay gets a little breathing space. Cheap energy is a curse to the environment. So, driving up the cost of gasoline is an effective countermeasure.

### **CUMBERLAND TIMES-NEWS**

**Letter: Beware of the 'Halliburton Loophole'** I would like to respond to Scott Cline, who paints me as a "sensationalist" in reference to my Jan. 6 letter ("Unfounded fears about shale gas obscure facts," Jan. 25 Times-News). I do not speak of fables or fiction. What I stated is documented. "Fracking" history is very tainted. If there is very little risk of hydraulic fracturing, why then, is there legislation known as the "Halliburton Loophole"? This was attached to a 2005 National Energy Bill that exempts the process of hydraulic fracturing from every clean water and environmental act that exist. That's right. Natural gas drillers can destroy your well, foul rivers and streams, spew methane into the air and more, all without fear of fines or legal action. Efforts to get this repealed have failed thus far. Repeal bill numbers are H.R. 1084 and S. 587. There is a link below listing the chemicals involved in the fracking process.

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# VIRGINIA

## **RICHMOND TIMES DISPATCH**

**From Early Bird** Fort: Gift supports environmental research MeadWestvaco's (MWV) recent gift of \$1 million to Virginia Commonwealth University's Walter and Inger Rice Center for Environmental Life Sciences is a crystal-clear statement about the importance MWV places on scientific research for the protection of our national waters. This gift demonstrates the company's commitment to environmental education at every level of academic progression, from school-age students to lifelong learners in one of the many outreach programs the VCU Rice Center offers, to undergraduate and graduate students, to established investigators and their colleagues in doctoral and postdoctoral programs who benefit from the facilities and location. Areas of research conducted at the VCU Rice Center include sturgeon restoration in the James, avian conservation, water quality and resource management, and one of the largest wetland restoration projects on the East Coast, to name a few.

**From Early Bird** VCU biologist studies noisy fish Michael Fine plucked a 10-inch catfish from its tank and gently tugged at a fin in hopes of getting it to talk. The fish had nothing to say. And then.... "He just made a sound!" said Fine. "He's doing it again!" The message was barely a whisper, undetectable a few feet away amid the rumble of fish tanks and pumps.

Whales wintering off Va. Beach drawing crowds VIRGINIA BEACH -- Whales by the dozen are wintering in the unseasonably warm waters off this resort city, attracting a flotilla of recreational boats packed with sightseers hoping to glimpse the big mammals gorging on tons of bait fish within sight of the oceanfront's high-rise hotels. While elated by the unexpected visit, scientists are also concerned that the offseason attraction could create potentially deadly conflicts between the whales and boat propellers. Ships from the world's largest naval base in Norfolk and cargo traffic up the Chesapeake Bay to port facilities in Virginia and Baltimore also pose a potential threat, they say. The waters off Virginia are much shallower than those where whales are commonly found.

Eagles minding two eggs

Virginia and James, the subjects of the Richmond Eagle Cam, are now incubating a pair of eggs.

**VIRGINIAN-PILOT** Groups frustrated by stalled money for Bay cleanup One of the top environmental priorities this year in the General Assembly - borrowing \$300 million to upgrade sewage plants to help clean up the Chesapeake Bay - seems to have hit a wall. In the Senate, lawmakers have easily passed the measure so far, even approving an extra \$78 million to fix leaky sewage systems in Richmond and Lynchburg that can pollute the James River - and ultimately the Bay - with raw wastes and bacteria. Then this week, a House committee voted to table until next year the same bill to sell bonds worth \$300 million to modernize some 85 sewage plants across Virginia, including five in Hampton Roads and several on the Eastern Shore and Tangier Island.

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# MISCELLANEOUS

## **ASSOCIATED PRESS**

**From Early Bird** Delaware among 11 states suing EPA over soot rulesNEW YORK — New York, Delaware and nine other states have filed a lawsuit designed to force the U.S. Environmental Protection Agency to issue new regulations on soot pollution. New York Attorney General Eric Schneiderman says the lawsuit filed today in U.S. District Court in Manhattan comes after the federal agency failed to meet a statutory October deadline to revise soot standards. Soot is produced by diesel vehicles and power plants and has been linked to chronic respiratory disease, impaired lung function, heart disease and asthma.

**From Early Bird** NYC sewage plant to offer Valentine's Day toursNEW YORK -- It may not smell like a rose but a New York City sewage plant is offering tours for lovers on Valentine's Day. The tour host and superintendent of the Newtown Creek Wastewater treatment plant in Brooklyn tells the Daily News it'll be a unique date, and one that special someone will never forget. Jim Pynn says the highlight of the tour will be the plant's giant egg-shaped digesters, which break down the noxious waste into harmless sludge and gas.

## **BLOOMBERG NEWS**

**From Early Bird** EPA Sued by 11 States to Enforce Standards Limiting Soot

New York, California and nine other states sued to enforce clean air standards after the U.S. Environmental Protection Agency failed to meet a deadline to reduce pollution from soot. The lawsuit, filed today in federal court in Manhattan, asks a judge to order the EPA to propose and complete the standards for particulate matter, or soot. "The delay caused by the administrator's failure has harmed and continues to harm the states by delaying the adoption and implementation of more protective fine particulate matter standards that will result in cleaner and healthier air," according to the complaint.

**Obama Proposes Cutting \$40 Billion in U.S. Fossil-Fuel Credits** President Barack Obama, who pledged an "all of the above" energy strategy that included fossil fuels, renewed his proposal to cut more than \$40 billion in tax breaks for oil, gas and coal producers in the next decade to spend more for conservation and alternate energy. "We should not devote scarce resources to subsidizing the use of fossil fuels produced by some of the largest, most profitable companies in the world" while pursuing a clean-energy strategy, the Obama administration said today in the 2013 budget for the Energy Department.

**Obama Budget Doubles Infrastructure Funds** President Barack Obama would almost double spending on the U.S. infrastructure over the next six years and would pour \$350 billion into a jobs plan while shrinking the budgets of most other domestic agencies. The blueprint for the fiscal 2013 budget released today would spend \$476 billion through 2018 on highway, bridge and mass transit projects, funded in part by winding down the wars in Iraq and Afghanistan. It cuts some energy programs, farm subsidies and federal workers' retirement plans, while bulking up the Securities and Exchange Commission and creating a new panel to investigate unfair foreign trade practices. Investing in the nation's transportation grid is a fresh attempt to create jobs for a president facing re-election this year amid voter concern about the economy and unemployment at 8.3 percent in January. In addition to gasoline tax revenue, transportation spending would come from a \$38.5 billion-a-year transfer from the fund that now goes to war spending.

**Americans Gaining Energy Independence** The U.S. is the closest it has been in almost 20 years to achieving energy self-sufficiency, a goal the nation has been pursuing since the 1973 Arab oil embargo triggered a recession and led to lines at gasoline stations. Domestic oil output is the highest in eight years. The U.S. is producing so much natural gas that, where the government warned four years ago of a critical need to boost imports, it now may approve an export terminal. Methanex Corp. (MX), the world's biggest methanol maker, said it will dismantle a factory in Chile and reassemble it in Louisiana to take advantage of low natural gas prices. And higher mileage standards and federally mandated ethanol use, along with slow economic growth, have curbed demand. The result: The U.S. has reversed a two-decade-long decline in energy independence, increasing the proportion of demand met from domestic sources over the last six years to an estimated 81 percent through the first 10 months of 2011, according to

data compiled by Bloomberg from the U.S. Department of Energy. That would be the highest level since 1992.

### **NEW YORK TIMES**

**From Early Bird** Can Efficiency Counter a Loss of Nuclear Power?

### **WATER WORLD**

**From Early Bird** Feds approve California sewage ban and create largest coastal no-discharge zone in the nation  
SAN FRANCISCO, Feb. 13, 2012 – U.S. has approved a state proposal to ban all sewage discharges from large cruise ships and most other large ocean-going ships to state marine waters along California's 1,624 mile coast from Mexico to Oregon and surrounding major islands. Today's action establishes a new federal regulation banning even treated sewage from being discharged in California's marine waters. "This is an important step to protect California's coastline. I want to commend the shipping industry, environmental groups and U.S. EPA for working with California to craft a common sense approach to keeping our coastal waters clean." said Gov. Jerry Brown.

### **REUTERS**

**Obama seeks clean energy, pipeline funds in budget**(Reuters) - The White House proposed more funds for renewable energy and pipeline safety in the 2013 budget while renewing the call to end subsidies for the oil and gas sector. The budget proposes \$27.2 billion for the Department of Energy, a 3.2 percent increase of what Congress enacted last year, and includes \$2.3 billion for research and development for energy efficiency, advanced vehicles and biofuels.

### **EARTH TALK**

**Earthtalk: How green was Obama's State of the Union address?**

The economy dominated President Obama's recent State of the Union address, but his discussion about energy and the environment took up almost seven minutes—or nine percent—of the hour-plus address. And while much of what Mr. Obama said was comforting to environmentalists, his statements about expanding natural gas production—albeit “without putting the health and safety of our citizens at risk”—and opening up more than 75 percent of our potential offshore oil and gas resources did not sit well.

### **FUELFIX**

**New film comes to defense of fracking**

The creators of the new documentary called “FrackNation” hope to dispel what they view as inaccuracies in the Oscar-nominated film “Gasland” and give more voice to those who live in the communities that are benefiting economically from natural gas drilling. Phelim McAleer, formerly a journalist with The Economist and Financial Times, is teaming up with his wife Ann McElhinney, a fellow former journalist, in making the film. The Irish couple in the past have made other films that took a critical eye toward such ideas as global warming and environmentalism, including “Not Evil Just Wrong,” which challenged the ideas in Al Gore's documentary “An Inconvenient Truth.”